

Application No. 09/744,771
Amendment "A" Dated May 2005
Reply to Office Action mailed March 25, 2005

REMARKS

Initially, Applicants would like to thank the examiner for taking time to discuss this case with Applicants' attorney on May 11, 2005. The amendments made by this paper are consistent with the discussions and proposals presented during the interview.

The first Office Action, mailed March 25, 2005, considered claims 42-94. Claims 42, 44-57, 60-66, 71-77 are rejected under 35 U.S.C. 102(o) as being anticipated by Rangan, et al. (U.S. Patent No. 6,154,771). Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan, et al. in view of Porter (U.S. Patent No. 6,208,354). Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan in view of Makur (U.S. Patent No. 4,963,030). Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan in view of Lee, et al. (U.S. Patent No. 5,778,098). Claims 78-94 are rejected under 35 U.S.C. 102 (e) as being anticipated by Gordon, et al. (U.S. 6,754,905). Claims 67-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan, et al. in view of Wolzien (U.S. Patent No. 5,761,606).¹

By this paper, claims 42 and 78 have been amended, and new claims 95-97 have been added, such that claims 42-97 remain pending, and of which claim 78 is the only independent claim at issue.²

As discussed during the interview, the cited art fails either singly or in combination to anticipate or obviate the claimed invention. In particular, while Gordon and Rangan, for example, generally deal with the technology of broadcast media, they fail to disclose or suggest, alone or in combination with each other or the other cited art, a method for personalizing a broadcast stream, as claimed, and that includes reducing a visual quality of said provided video stream by using different compression parameters for different GUI display elements of a frame within the video stream, and such that standard GUI display elements of the frame are compressed to a lower quality than unknown GUI display elements of the frame, particularly in combination with the other recited claim elements.

The cited art also fails to disclose such a method wherein a program used to generate the broadcast stream is duplicated during the personalization (claim 95), or where only some of a

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the language in the claims, including that found on pages 20, 25 and 36, which was examined carefully during the interview, was found to support the language in the claim amendments and new claims.

Application No. 09/744,771
Amendment "A" dated May 2005
Reply to Office Action mailed March 25, 2005

plurality of different P frames are used that correspond to different users and that are transmitted with the video stream (claim 96), or where some compressed data replaces one or more compressed blocks in the video stream without decompressing the video stream (claim 97).

In view of the foregoing, all of the rejections of record are now moot, such that the assertions made in the last action regarding the prior art and the pending claims need not be addressed at this time. Nevertheless, it will be appreciated, that Applicants do not necessarily acquiesce to any of the arguments and assertions made in the last action and reserve the right to challenge these arguments and assertions in the future, should the need arise.

Accordingly, for at least these reasons, Applicants respectfully submit that the pending claims 42-97 are in condition for immediate allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 25 day of May, 2005.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant
Customer No. 047973

RDN:JCJ:ahm
ATTIM0000001108V001